



Control Number: 42931



Item Number: 20

Addendum StartPage: 0

**DOCKET NO. 42931**

**APPLICATION OF MANVILLE  
WATER SUPPLY CORPORATION  
AND LAKESIDE WATER CONTROL  
IMPROVEMENT DISTRICT 1 FOR  
APPROVAL OF A SERVICE  
AGREEMENT IN TRAVIS COUNTY  
(37792-C)**

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**PUBLIC UTILITY COMMISSION**

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**TEXAS**

**COMMISSION STAFF'S RESPONSE TO ORDER NO. 7 AND SUPPLEMENTAL  
RECOMMENDATION ON THE APPLICATION**

Commission Staff (Staff) of the Public Utility Commission of Texas (Commission) files this Response to Order No. 7 and Supplemental Recommendation on the Application. In support of its Response, Staff states the following:

**I. BACKGROUND**

On November 18, 2013, Lakeside Water Control Improvement District 1 (Lakeside WCID 1) and Manville Water Supply Corporation (Manville WSC) (collectively, Applicants) filed an application with the Texas Commission on Environmental Quality (TCEQ) for approval of agreements pursuant to Tex. Water Code Ann. § 13.248. Lakeside WCID 1, Registration No. P1211, and Manville WSC, water Certificate of Convenience and Necessity (CCN) No. 11144, provide retail water service in Travis County, Texas.

On September 4, 2015, the ALJ issued Order No. 7 finding that application remained incomplete and deficient and ordering Staff to file a supplemental recommendation on administrative completeness of the amended application and notice along with a proposed procedural schedule, if appropriate, by November 2, 2015. This Response is timely filed.

**II. STAFF'S SUPPLEMENTAL RECOMMENDATION ON THE APPLICATION**

On October 1, 2015, Lakeside WCID 1 submitted additional mapping documents in response to Order No. 7. As shown in the memo (Attachment A) of Mary Lupo and Tracy Montes in the Commission's Water Utilities Division, Staff has reviewed the additional mapping documents provided by Lakeside WCID 1 and recommends that the mapping information remains deficient. Specifically, the revised digital data does not include the complete details of the datum and coordinate system used to create their drawing (.dwg) formatted file. The Applicant did not

submit the entire shapefile which is made up of six files including a .dbf, .shp, .shx, .sbx, .sbn and the projection (.prj) file. Therefore, Staff is unable determine if the proposed water and sewer service areas are accurately located as shown on the large scale map. Also, Staff is unable to determine if the digital data was revised to remove the overlap with the corporate boundaries of the City of Pflugerville.

In order to resolve the mapping deficiencies, Staff recommends that the Applicants file revised digital data in a drawing (.dwg) or shapefile (.shp) file format only delineating the proposed service area for Lakeside WCID 1 after removing the overlap with the City of Pflugerville's corporate boundaries on a data disk (CD). If submitting a .dwg formatted file, Staff recommends that the Applicants include the world (WLD) file or text file including the details for the coordinate system and datum used to create the file. If submitting a .shp formatted file, Staff recommends that the Applicant include the projection (.prj), which includes the details for the coordinate system and datum used to create the file. Staff further recommends that the digital data must be submitted on a data disk (CD) as a single polygon in a .dwg or .shp format, which corresponds to the same proposed water and sewer service area as shown on the large scale map, and the Applicants file the required number of CDs.

Additionally, Staff notes that the Applicants should file documentation signed by the City of Pflugerville agreeing to decertify a portion of their sewer CCN No. 20678 and documentation signed by the LCRA allowing Lakeside WCID 1 to provide retail water and sewer service within LCRA's district boundaries in order to allow Staff to complete the technical review of the application.

In order to allow Staff to perform its review of the application, Staff requests that the Applicants cure the identified deficiencies by submitting the information requested above. Staff recommends that the Applicants be given until **December 4, 2015** to provide the requested information. Staff proposes to file a supplemental recommendation on the application by **January 5, 2016**.

### **III. CONCLUSION**

For the reasons stated above, Staff recommends that the application remains deficient. Staff respectfully requests that the Applicants amend the application by providing the requested information by **December 4, 2015**. Staff proposes to file a supplemental recommendation on the

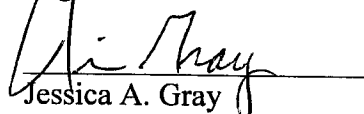
application by **January 5, 2016**. Staff respectfully requests that an order be issued reflecting this Response.

**Date: November 2, 2015**

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director  
Legal Division

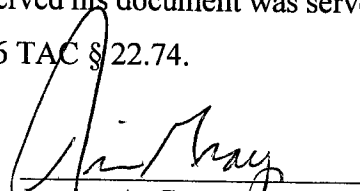
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**DOCKET NO. 42931**  
**CERTIFICATE OF SERVICE**

I certify that a copy of this document was served his document was served on all parties of record on November 2, 2015 in accordance with 16 TAC § 22.74.



Jessica A. Gray, Attorney

## ATTACHMENT A

## PUC Memorandum

**TO:** Jessica Gray, Attorney  
Legal Division

**FROM:** Mary Lupo, Financial Analyst  
Tracy Montes, GIS Specialist  
Water Utilities Division

**THRU:** Tammy Benter, Director  
Water Utilities Division

**DATE:** October 28, 2015

**RE:** **Docket No. 42931:** *Application of Manville Water Supply Corporation and Lakeside Water Control and Improvement District 1 for Approval of a Service Agreement in Travis, County (37792-C)*

On November 18, 2013, Lakeside Water Control Improvement District 1 (Lakeside WCID 1 or Applicant) and Manville Water Supply Corporation (Manville WSC) filed a Contract Service Agreement with the Texas Commission on Environmental Quality (TCEQ) pursuant to Texas Water Code, Section 13.248. On May 22, 2015, Lakeside WCID 1 filed an amended application to obtain water and sewer Certificates of Convenience and Necessity (CCN) in Travis County. The application is being reviewed pursuant to Texas Water Code (TWC) §§ 13.242- 13.250 and 16 Tex. Admin. Code (TAC) §§ 24.101-24.107.

After review of the data filed by the Applicant on October 1, 2015, Staff finds the application is insufficient and recommends the application be found administratively incomplete. Staff recommends the Applicant correct the following deficiencies:

### Mapping

The Applicant's revised digital data does not include the complete details of the datum and coordinate system used to create their drawing (.dwg) formatted file. The Applicant did not submit the entire shapefile which is made up of six files including a .dbf, .shp, .shx, .sbx, .sbn and the projection (.prj) file. Therefore, Staff is unable determine if the proposed water and sewer service areas are accurately located as shown on the large scale map. Also, Staff is unable to determine if the digital data was revised to remove the overlap with the corporate boundaries of the City of Pflugerville.

Staff recommends that the Applicant submit the following to resolve the mapping deficiencies:

- Revised digital data in a drawing (.dwg) or shapefile (.shp) file format only delineating the proposed service area for Lakeside WCID 1 after removing the overlap with the City of Pflugerville's corporate boundaries on a data disk (CD).
  - a. If submitting, a .dwg formatted file, please include the world (WLD) file or text file including the details for the coordinate system and datum used to create the file.
  - b. If submitting a .shp formatted file, please include the projection (.prj), which includes the details for the coordinate system and datum used to create the file.
  - c. The digital data must be on a data disk (CD) as a single polygon in a .dwg or .shp format, which corresponds to the same proposed water and sewer service area as shown on the large scale map.

**Technical Review**

The items listed below will be addressed during Staff's technical review of the application. Failure to provide the requested information may delay processing of the application.

Staff further recommends that the Applicant must submit the following documentation to achieve the requested intent:

- d. Documentation signed by the City of Pflugerville agreeing to decertify a portion of their sewer CCN No. 20678; and
- e. Documentation signed by the LCRA allowing Lakeside WCID 1 to provide retail water and sewer service within LCRA's district boundaries.